

INTERNATIONAL COMPARATIVE STUDIES ON NEGOTIATING BEHAVIOR

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(1) It is a very useful contribution to an emergent discipline of the future history of international relations with emphasis on interaction processes within multilateral institutions. It does help current efforts to preview the 21st Century and to prepare for it.

It falls short of expectation. Several impressionistic observations on 2 super-powers' maneuvers during the cold war period within UN are hardly sufficient for extrapolation about the multilateral negotiations for a new world order. There are other countries in the North and in the third world. Discussion is largely based on the traditional, realist conception of the world as being essentially state-centric. Post-internationalist/globalist paradigm provides a more pertinent heuristic tool for assessing the turbulence in the contemporary world and also provides a prescriptive guidance for coping with the turbulence. (Ref. J. N. Rosenau)

The paper only notes in passing that people apart from governments do have some influence on the decisions of global organizations, especially if private citizens are well organized and influence media opinion or lobby their own governments. However, people power and influence of non-state actors are becoming increasingly more effective in changing the course of events in human history. Without taking due cognizance of their influence, particularly their potential capability to supplement the governance functions of sovereign states, there is not much use in negotiating to build a world order. (N.B. Failures in Rio Summit 92 and World Conference on Human Rights, Vienna 93 and success in Cairo Conference on Pop. and Dev.)

(2) The paper underlines the importance of democratic structure and procedures for decision-making by global organizations and asserts that cultural differences of member countries have little influence on the structure and procedures.

This view can be strongly endorsed if acknowledged democratic structure and rules are not too stringent to adapt to changing situations.

The real difficulty/problem with UN today is the definite tendency toward oligarchy or hegemonic governance by Permanent 5 of Security Council. It would further exacerbate the difficult task of building a viable world order if Germany, Japan and a few major regional powers in the South were to join as permanent members of the Security Council in whose hand power is being concentrated. According to Oran Young, "sharp asymmetries in the distribution of power (in the material sense) among participants circumscribes the effectiveness

of international institutions.” (Ref. Young, “Effectiveness of Int. Institutions” in J.N. Rosenau & E. Czempiel, *Governance without Government*, 1993)

There can be no sustainable world order if a new order does not meet the 2 requisites, *i.e.* “Effectiveness” and “legitimacy.” The effectiveness is a function of several other critical variables, *e.g.* transparency for monitoring and verifying compliance, the robustness of the social choice-mechanisms and the capacity of national governments to implement the policies of the international community that are articulated, negotiated and adopted at major world conferences and/or UN General Assembly.

As to the second requisite, *i.e.* legitimacy, it is important to recognize that the concept of legitimacy is undergoing redefinition with the consequence that sources of authority have shifted from the traditional top-down dictates to performance criteria of legitimacy. And such criteria share certain core characteristics of democracy, *e.g.* respect for human rights, informed consent of the people, popular participation, constitutional government, transparency and accountability of the exercise of power.

(3) The paper notes that criteria for evaluating the substance of agreements and policies are fluid and that cultural differences may exert influence on the outcome of multilateral negotiations. Noting the different concepts of equality in different cultures and civilizations, the paper concludes that “it will take a long time for the evolving world order to reach a compromise between an equal role for unequal nations and an equal role for all the people.”

Thanks to technological advance, increased communication and literacy campaign, a similarity of basic values as well as awareness of global issues among peoples of the world is gradually emerging. In recent years, UN system agencies and various regional organizations (*e.g.* CSCE, OAS, OAU, EU) have adopted a number of declarations and decisions indicating growing consensus and convergent expectations about democratic governance and human rights.

There is a great diversity of political cultures that may influence the operational modes of democratic principles. Hence a formulation should be firm on the conception of democracy and human rights as universal values but it should permit of relativism for appropriate local adaptation. As the democracy cannot develop on external command, the essential task falls to the leaders and people of the countries concerned. Yet, for the reasons already stated, time is propitious for the promotion of democratic governance through the instrumentality of the UN. For this purpose, priority should be given to the negotiation and adoption of a “declaration on democratic governance” by the UN and the establishment of a mechanism for monitoring how countries live up to their commitments to the declaration. Verification of highly politicized situations by independent international institutions would be necessary at the time of plebiscites, referenda and elections. Still more important would be continuous and routine monitoring that could provide an early warning that may lead to taking of preventive measures against sudden deterioration of internal situations or against seeping violation of human rights by States or non-State actors.

It is submitted that several practical reforms of the UN through its practice rather than the partial revision of the Charter at this juncture of history will together constitute the basis for negotiation to build a new world order.